

Offender Services Study

The Department of Corrections Advisory Council has launched a study dealing with one of the most important issues facing corrections today: How to deal with the growing number of offenders in the most effective and cost-efficient manner?

The goal of the study is to affect the prison population by reducing the number of offenders entering prison and the number of offenders returning to prison by providing more individualized community-based programs and services for offenders.

The focus is on what are commonly called “transition” or “re-entry” programs and services. While the titles indicate programs and services designed to serve offenders bound from prison back to society, they are the same programs and services that can help divert offenders bound for prison. Whether once or never in prison, all offenders will benefit from results of this study.

In Montana, about 47 out of every 100 inmates at Montana State Prison are there for violating conditions of their community release. The issue of why these offenders fail in the community and what can be done to give them a better chance of success is the heart of the study.

About 97 percent of all offenders in prison will someday be released. Most of those people leave prison with a lack education and job skills; drug addictions and often related mental health problems; little or no family support; health problems; and no place to live. The same dilemmas confront many offenders never sent to prison.

The study will look at what programs and services are available behind bars and in communities to help offenders, what works, what doesn't, and what more is needed to give offenders the best possible chance to make it in society.

The list of programs and services includes chemical dependency counseling and treatment, mental health services, parenting classes, housing assistance, anger management classes, job search, sex offender treatment, gambling addiction counseling, adult basic education, and vocational-rehabilitation services referral.

The results of this study can be particularly beneficial to Indian offenders because it should be able to pinpoint areas of the state – including those with reservations – where the programs and services needed to address the needs of Indian offenders are missing. While they may be available in more urban areas, the study may identify where more is needed in reservation community.

Why is this important?

First, Montana's state-run prisons are overflowing. The U.S. Justice Department's Bureau of Justice Statistics reports that, as of the end of 2004, Montana's inmate population was 23 percent beyond the system's operating capacity. Only three states were worse off: Illinois, 35 percent above capacity; Massachusetts, 26 percent; and Wisconsin, 24 percent.

Second, Montana's recidivism rate – the measure of how often offenders released from prison commit new crimes and return to prison within three years of release – is 41 percent for males and 33 percent for females. That compares to a nearly 52 percent rate nationally, according to the U.S. Department of Justice's Bureau of Justice Statistics.

Third, 42 percent of Montana's male inmate population and 81 percent of female inmates are serving time for nonviolent offenses. Nationally, 49 percent of all state inmates are serving time for nonviolent crimes. That raises the question of whether those offenders should be behind bars or in community correctional programs.

According to the Bureau of Justice Statistics, Montana is showing greater improvement than most states when it comes to moving inmates out of prison and utilizing options to prison.

- ☐ **Releases**

Montana ranked 13th nationally for the increase in the number of released inmates between 1988 and 1998 (118 percent)

- ☐ **Parole**

Montana ranks 18th nationally for the increase in offenders on parole between 2000 and 2004 (30 percent)

- ☐ **Probation**

Montana ranks 15th nationally for the increase in offenders on probation between 2002 and 2004 (18 percent)

With this trend toward placement of more offenders in community corrections programs, this study is critical to ensuring those people – at this crucial point in their lives – have access to the programs and services they need to survive and succeed out of prison.

Questions to be answered:

- ☐ What transition programs/services are available for inmates while still behind bars?
- ☐ What transition programs/services are available for offenders upon their release?
- ☐ What are the programs/services most critical to offenders before and after release?
- ☐ What population is served by these programs/services?

- ☐ What population is not served?
- ☐ What are the barriers to offenders moving into community-based programs?

What we've learned so far

Indian Corrections

A delegation from the Blackfoot Tribe in Lethbridge, AB, emphasized the need for cooperation from prosecutors, judges, defense attorneys, offenders, offenders' families and victims in developing programs to help divert Indian offenders from prison.

They talked about the ability to make courts (judges) sensitive to the lifestyle and spirituality of tribes and reservations, help the accused overcome language barriers and involve elders (influential and respected tribal members) in dealing with Indian offenders.

NOTE: The department already has started the process of implementing a portion of this program of Indian corrections by applying a \$100,000 federal grant to a "native court worker" pilot project.

Siting community programs

The process of siting community corrections programs depends to a great degree on developing community support. Creation of a screening committee with power to decide which offenders to accept is a necessary part of that process. Proponents of community corrections programs, such as prerelease centers, refer to such a committee as their "safety valve."

Community opposition can be overcome with education and openness that targets those critics with the "not-in-my-backyard" attitude about corrections. Allowing the public to see that a program is doing what it says it will do builds trust in the community, particularly neighbors of the proposed program.

Finding a community willing to take sex offenders in a prerelease center is particularly difficult, although providing that level of supervision is preferable to merely releasing such offenders directly into the community without anything.

Family Tree Center

This organization provides skills to female offenders still in prison on how to deal with children. The program is based on the belief that helping offenders develop parenting skills will break the cycle of child abuse and neglect, and diverting offenders from criminal behavior.

The program, which served 600 families in Yellowstone County last year, helps women inmates obtain housing, transportation, job training and to learn how to handle their role as parent. They use home visits, respite care and providing access to other services. If offenders are able to bond more closely with their children, recidivism rates will decline, center officials said. Respite care is a crucial component because it helps reduce a parent's stress at a time when women are trying to cope with their lives outside of prison.

Eighty-five percent of the inmates at Montana Women's Prison go through the organization's program.

The center uses research to measure the effectiveness of its programs.

Center officials listed several areas for improving help to offenders:

- ☐ More support for those leaving prison (additional chemical dependency counseling, anger management courses, mental health care and housing)
- ☐ Great use of drug courts
- ☐ Greater equity of services for men and women
- ☐ More effective parenting classes for Montana State Prison inmates
- ☐ A recognition that most women are scared of returning to the role of parent
- ☐ More case management for inmates before their release
- ☐ More services for children of offenders before they start to act out
- ☐ Training for residents on Indian reservations to run their own programs

The Parenting Place

This Missoula-based organization has been helping prerelease residents there for four years. It served 17 offenders the first year and expects to help 100 this year. It addresses the fear that offenders have when confronted with having to interact with their children. The program arranges "facilitated visits" between parent and children, including funding for travel and lodging.

Eight out of 10 offenders served by the organization are men. Only 4.4 percent of all those who have been involved in the program since its inception have re-offended.

Officials said cooperation among all programs available to offenders is needed to provide continuity of services.

Connections

This Bozeman-based program, run by a former inmate, primarily helps inmates develop release plans in advance of parole or probation.

Board of Pardons and Parole

Craig Thomas, executive director for the board, said drug problems is the cause for most offenders returning to prison. An estimated 80 percent have such a dependency.

In addition to more drug counseling programs, he suggested:

- ☐ More group homes for mentally ill offenders
- ☐ Nursing home-style facilities for geriatrics
- ☐ Community facilities for sex offenders (Although 70 percent of parolees are sent to prerelease centers, it's difficult finding ones willing to take violent or sex offenders.)
- ☐ Loosening guidelines to allow for more medical paroles
- ☐ Allowing the board to place offenders in intensive supervision programs without having to go through the screening committee process.
- ☐ Mandatory training for board members and appointment of members by region

Treatment Courts

Montana has a handful of drug courts and only one mental health court. Drug courts have been around longer, about 10 years for the eldest. Records show that those graduating from drug courts in Montana commit five times fewer felonies than those who don't. The goal is to persuade offenders to stop using drugs without the high price of

prison placements by putting them into community programs. The philosophy embodied by the courts is that you can't punish people to success. The courts also recognize that age is not a factor in a person's willingness to be law-abiding, because the brain does not mature until age 24 or 25, even when not impaired by drugs.

The judge is more of a coach as he or she uses informal discussions with offenders who often are in need of the father or mother figure that a drug court judge represents. The process depends on close monitoring of offenders – including random, frequent and observed drug testing – to ensure they stay out of trouble and avoid relationships with the people who were part of their drug world.

Offenders are urged to tell the truth when asked if they are using drugs, because they will get in more trouble if they lie to the judge.

Some believe that generic "treatment courts" are better than separate drug and mental health courts. First, offenders often have problems in both areas – called "co-occurring disorders" – that need to be addressed simultaneously. Second, a stigma sometimes attaches to attending a mental health court.

Whatever they are called, these courts can save money by shortening or avoiding time spent in detention facilities.

Social Service Programs

The Department of Public Health and Human Services administers several programs that are useful to offenders. However, most assistance is available to women with children and people considered disabled. Able-bodied males can find services difficult to obtain.

TANF (Temporary Assistance to Needy Families, Medicaid, food stamps and the low-income energy assistance program (LIEAP) are the major programs likely to be used by offenders.

Many inmates released from the women's prison are eligible for TANF.

Medicaid is for the blind, disabled, elderly and the poor with dependent children. Many offenders, once released from prison, are eligible for Medicaid because they are considered disabled. But obtaining the designation of disabled, as defined by the Social Security Administration, can be a difficult and time-consuming process. The department is helping training probation and parole officers so they can assist offenders in this process.

Food stamps are available to someone with income of less than \$1,500 a month for three months. After that, a person has to be working in order to qualify for stamps. The typical amount of stamps is \$150 a month.

No DPHHS programs assist people with finding housing, a major problem for offenders. Housing is considered one of the greatest unmet needs of the poor. People with criminal records have a particularly difficult time getting access to public housing and high rental rates put another burden on the homeless.

Offenders released from institutions without a place to live usually end up in a rescue mission or some other shelter. Assistance for offenders can begin while they are still in prison. Institutional parole officers, who help inmates prepare their release plans, are often overwhelmed with their caseloads and need added expertise when it comes to lining up inmates with mental health services and housing in the community. Some officers are better than others at working with social service agencies.

Probation and parole officers' views

Their job is to enhance the lives of offenders while protecting the community.

Obstacles facing offenders include housing, employment, availability of mental health services and drug addiction counseling, and lack of life skills (such as household budgeting).

More addiction treatment capacity is needed in the community. Sometimes offenders have to wait 6-8 weeks for an opening in programs and such a delay can be devastating for people in a very vulnerable condition.

While some areas of the state have plenty of housing, others do not. And even where housing is plentiful, the quality can be low and usually is located in high-crime areas where offenders should not be.

The same is true with jobs. They can be easily found in some areas, but sparse elsewhere. Many of the jobs available are low-paying openings. Job Service staff offer some assistance in filling out job applications, developing references and providing advice on how to respond to a prospective employers question about one's criminal record.

Offenders with mental health problems are particularly difficult to supervise because many also have drug addiction problems. They often use drugs and alcohol while taking medication for their mental disorder, and that renders the medicine useless. These offenders often have a long wait for services, just as do drug addicts.

Most services – legal help, housing assistance, child care and food banks – are plentiful for women with children. Men are left out because society expects them to work and not depend on such services, and men frequently are reluctant to seek help.

Probation and parole officers cannot be expected to be aware of every possible community service that offenders may want. But treatment works and the more exposure offenders have to treatment, the better chance they have of success.

Offenders' views

Offenders offered these observations about the state of community programs and services for them:

- ☐ Kevin Houser of Helena – Job training through such organizations as the Career Training Institute is important in finding a job or changing jobs. Assistance in finding a job and transportation to a job are crucial. He said employers have to be made to feel safe in hiring an offender. He said prerelease centers should have physical education programs. Indian offenders do not have much support when sentenced to a prerelease center far from their home and reservation.
- ☐ Nathan Gray of Helena – More government-subsidized affordable housing for offenders leaving prerelease centers. Few offenders can afford a \$600 monthly rental rate, when landlords also require first and last month's rent. It's not a matter of finding housing; the problem is the cost. He said parenting classes can be beneficial, but should be taught by someone who is a parent.
- ☐ Vince Hallam, Bozeman – The biggest problem is finding a job. He was hired only until his employer discovered he was a felon and then was fired. He complained that he was unable to sign up for Social Security or Medicare while in prison, even though he would have been unable to use either program until he got out.

- Wade McLaughlin, Bozeman – Offenders need something to hold on to in the community, including a chance for a job. “It’s easier to give me a job for \$15,000 a year than to leave me unemployed, committing another crime and ending up in prison at \$33,000 a year.” He suggested a summit between the Department of Corrections and all community-based organizations.
- Christopher Cunico, MSP – Offenders need more structure and more treatment while in the community in order to stay out of prison. Drug addiction counseling programs need more capacity so offenders don’t have to wait for help.
- Eric Galloway, MSP – He needed a 30-day treatment program for his addiction, help with living skills such as handling money and holding a job, and a support group. Those on probation and parole need a place where they can go when having trouble, and a “Christian environment” in a halfway-house setting.
- Jennifer Stevens, Missoula – The key to her success was frequent contact with her parole officer and chemical dependency counselor.